



Application No. 10/823,850
Filing Date: April 14, 2004

PATENT

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Olivia G. Dyhouse
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ga.
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December 20, 2006
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 10/823,850
Filed: April 14, 2004
Applicant: Bertram Burke
Entitled: FINAL SALE MERCHANDISE CARD
Examiner: Kumiko KOYAMA
Group Art Unit: 2876
Attorney Docket No.: 1357-13U

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. §1.181(a)

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions the Director to withdraw holding of abandonment and in support thereof submits the following:

Applicant received a Notice of Allowance regarding Application No. 10/823,850 dated May 5, 2006. Applicant timely paid the issue fee by check dated May 1, 2006 as shown in

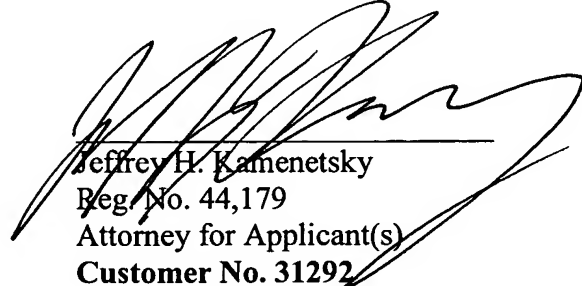
Exhibit "A". Subsequently, Applicant received a Notice of Abandonment from the Office dated December 12, 2006 for failure to timely pay the issue fee. In response to the Notice of Abandonment, Applicant's attorney promptly called the Office of Petitions on December 19, 2006 attempting to remedy the situation by telephone.

Applicant's attorney spoke with Ms. Charlene Grant from the Office of Petitions who confirmed that the issue fee was timely paid and received by the Office on May 15, 2006. Ms. Grant then informed Applicant's attorney that this matter could not be corrected by telephone and to file this petition to withdraw the holding of abandonment.

Applicant respectfully requests that the Director respond promptly to this petition and allow the application to issue, so that the Applicant will not be prejudiced should additional remedial steps be necessary.

Respectfully submitted,

Date: December 20, 2006


Jeffrey H. Kamenetsky
Reg. No. 44,179
Attorney for Applicant(s)
Customer No. 31292

1109

EVERY PENNY COUNTS, INC.
1434 SW 51ST LANE
CAPE CORAL, FL 33914

PAY TO THE ORDER OF Commissioner of Patents DATE 5/1/06 \$ 700.00
Seven hundred XX/100 DOLLARS

Bank of America

ACH R/T 083100277

FOR ERC 2204 Michaela Burke

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